

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:12-CV-692-D

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
OLD SAVANNAH FARMS, LLC,)
DONNIE F. BAREFOOT, JASON R.)
BAREFOOT, ASHLEY W. BAREFOOT,)
AND STANLEY N. BAREFOOT,)
)
Defendants.)

ORDER

On June 14, 2013, the United States (“government”) filed a motion for summary judgment [D.E. 13], supporting memorandum [D.E. 14], and exhibits [D.E. 15]. Defendants did not respond.

The court has considered the motion under the governing standard. See Fed. R. Civ. P. 56; see also Scott v. Harris, 550 U.S. 372, 378 (2007); Celotex Corp. v. Catrett, 477 U.S. 317, 325–26 (1986); Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 247–55 (1986); Matsushita Elec. Indus. Co. v. Zenith Radio Corp., 475 U.S. 574, 585–87 (1986). Summary judgment is appropriate “if the movant shows that there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law.” Fed. R. Civ. P. 56(a); see Anderson, 477 U.S. at 247–48. The party seeking summary judgment bears the burden of initially coming forward and demonstrating an absence of a genuine issue of material fact. Celotex Corp., 477 U.S. at 325. Once the moving party has met its burden, the nonmoving party then must affirmatively demonstrate that there exists a genuine issue of material fact for trial. See Matsushita, 475 U.S. at 587. “[T]here is no issue for trial unless there is sufficient evidence favoring the nonmoving party for a jury to return a verdict for that

party.” Anderson, 477 U.S. at 249.

The court has reviewed the record. In light of the standard and the record, the government is entitled to summary judgment.

In sum, the government’s motion for summary judgment [D.E. 13] is GRANTED. Accordingly, the court enters judgment against defendants in the amount of \$251,888.36, plus interest accrued through August 16, 2013, in the amount of \$7,189.71. The court also orders defendants to assemble the collateral listed in the security interests and orders a judicial sale of the collateral.

SO ORDERED. This 16 day of August 2013.


JAMES C. DEVER III
Chief United States District Judge